

# Notice of Allowability

Application No.

09/409,940

Examiner

Fred Ferris

Applicant(s)

BULLIS ET AL.

Art Unit

2128

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5 December 2005.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Fred Ferris*  
PRIMARY EXAMINER  
10/2/05

### **DETAILED ACTION**

1. *This Office Action is responsive to applicant's amendment filed 5 December 2005. Claims 1-23 are currently pending in this application. Amended claims 1-23 have now been allowed over the prior art of record.*

### **Response to Arguments**

2. *Applicant's arguments filed 5 December 2005 have been fully considered and found to be persuasive.*

*Regarding applicant's response to 103(a) rejection: The examiner withdraws the 103(a) rejection in view of applicant's amendment to the claims and arguments presented 5 December 2005.*

### **Allowable Subject Matter**

3. *Claims 1-23 have now been allowed over the prior art of record.*

*The following is an examiner's statement of reasons for allowance:*

*Applicants are disclosing a method and system for providing simulation of an integrated circuit that is under development and includes an island with a coupled interface including a snoop, a checker and a generator for obtaining an output and providing a test case. This has been disclosed in the prior art of record.*

*While these elements are individually disclosed in the prior art, the prior art of record does not meet the conditions as suggested in MPEP section 2132, namely:*

*"The identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an **ipsissimis verbis** test, i.e., identity of terminology is not required. **In re Bond**, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)."*

*In particular, the examiner notes that while features such as the use of a snooper, a checker and a generator for obtaining an output and providing a test case to an integrated circuit under development are well known, and disclosed in the prior art, these features are not explicitly disclosed or rendered obvious as being in combination with a test case coupled to the generator providing data, and a request that the generator perform a particular simulation on the island, without the test case including logic for directly controlling the functions of the snooper, checker, and generator as now required by amended independent claims 1, 10, and 17. (See specification: page 14, line 5 to page 17, line 23, Figs. 3-6, for example)*

*The closest prior art uncovered during examination teaches certain limitations of the claimed invention as follows:*

*U.S. Patent 6,182,258 issued to Hollander:* *Teaches elements relating to verifying an integrated circuit design that monitors (i.e. snoops) the simulation of an integrated circuit design via a checker (with an interface) and includes a test generator using a test case with automation (i.e. intelligence for directing test) for determining the defective behavior (for desired output) of the circuit. Hollander does not however explicitly disclose these features in combination with a test*

*case coupled to the generator providing data, and a request that the generator perform a particular simulation on the island, without the test case including logic for directly controlling the functions of the snooper, checker, and generator as now required by amended independent claims 1, 10, and 17 of the present invention.*

*U.S. Patent 6,006,024 issued to Guruswamy: Teaches a cell layout generation system environment that includes islands for an integrated circuit design, but again, does not explicitly disclose the required features in combination with a test case coupled to the generator providing data, and a request that the generator perform a particular simulation on the island, without the test case including logic for directly controlling the functions of the snooper, checker, and generator as now required by amended independent claims 1, 10, and 17 of the present invention.*

*The features noted above relating to the specific combination of elements, renders the claimed invention non-obvious over the prior art of record. Dependent claims 2-9, 11-16, and 18-23 are deemed allowable as depending from independent claims 1, 10, and 17 respectively.*

*Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."*

**Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred Ferris whose telephone number is 571-272-3778 and whose normal working hours are 8:30am to 5:00pm Monday to Friday. Any inquiry of a general nature relating to the status of this application should be directed to the group receptionist whose telephone number is 571-272-3700. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jean Homere can be reached at 571-272-3780. The Official Fax Number is: 571-273-8300

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February 21, 2006

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